

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Olsen et al.

Docket No.: PF108P2D1

Application No.: 10/614,990

Confirmation No.: 8196

Filed: July 9, 2003

Art Unit: 1647

For: Stanniocalcin Polynucleotides, Polypeptides, and
Methods Based Thereon

Examiner: C. J. Nichols

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorney/Agent for Applicants hereby directs the Examiner's attention to references BA-BX listed on the attached Form PTO/SB/08. Copies of the references are enclosed.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding cDNA clone of this application are related to SEQ ID NOS:23831 and 23838 in copending U.S. Application No. 09/912,292 and SEQ ID NOS:62913 and 194330 in copending U.S. Application No. 09/912,293. A legible copy of those portions of U.S. Application Nos. 09/912,292 and 09/912,293 which caused them to be listed on the attached Form PTO/SB/08 are submitted herewith as references BA and BB, respectively.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b)

concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. Accordingly, no fee is believed due. However, should the Patent Office determine otherwise, please charge the required fee to our Deposit Account No. 08-3425.

Dated: June 23, 2004

Respectfully submitted,

By Michele Shannon
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KKH/MS/ba



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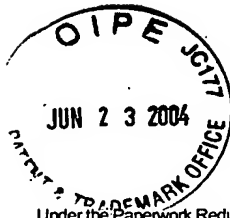
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/614,990-Conf. #8196
				Filing Date	July 9, 2003
				First Named Inventor	Henrik S. Olsen
				Art Unit	1647
				Examiner Name	C. J. Nichols
Sheet	2	of	3	Attorney Docket Number	PF108P2D1

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)					
	BE	WO-96/13610		05-09-1996	Geron Corp.		
	BF	WO-98/20165		05-14-1998	Whitehead Institute for Biomedical Research		
	BG	WO-00/16795		03-30-2000	Snow Brand Milk Products Co., Ltd.	Abstract and SEQ ID NOS:3 and 4.	
	BH	WO-00/55174		09-21-2000	Human Genome Sciences, Inc.	Pages 1-612 of Specification and pages 342- 343 and 1244- 1245 of Sequence Listing containing SEQ ID NOS: 486 and 1426. ⁷	
	BI	WO-01/30969		05-03-2001	Human Genome Sciences, Inc.		
	BJ	WO-01/32209		05-10-2001	Diadexus, Inc.		
	BK	WO-01/40269		06-07-2001	Corixa Corp.		
	BL	WO-01/57271		08-09-2001	Aeromica, Inc.		
	BM	WO-02/04013		01-17-2002	BML, Inc.	Abstract and Figures, esp. Figure 1.	
	BN	WO-02/060317		08-08-2002	Corixa Corp.		
	BO	WO-02/074979		09-26-2002	Ortho-Clinical Diagnostics, Inc.	Complete Specification and Figures and page 28 of Sequence Listing containing SEQ ID NO:36.	
	BP	WO-02/085308		10-31-2002	Epigenesis Pharmaceuticals, Inc.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **CITE NO.: Those patent(s) or publication(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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U.S. PATENT DOCUMENTS					
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		Number-Kind Code ² (if known)			
	BA	US-09/912,292	NOT PUBLISHED	Rosen et al.	Pages 1-75 (pages 1 & 2 partially redacted); portion of Table 2; and SEQ ID NOS:23831 and 23838.
	BB	US-09/912,293	NOT PUBLISHED	Rosen et al.	Pages 1-75 (pages 1 & 2 partially redacted); portion of Table 2; and SEQ ID NOS: 62913 and 194330.
	BC	US-2002/0137081	09-26-2002	Olga Bandman	
	BD	US-5,877,290	03-02-1999	Olsen et al.	

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BQ	WAGNER, et al., "Immunological and biological evidence for a stanniocalcin-like hormone in human kidney," <i>Proc. Natl. Acad. Sci. USA</i> 92:1871-1875 (Mar. 1995).	
	BR	YAMASHITA et al., "The complete amino acid sequence of chum salmon stanniocalcin, a calcium-regulating hormone in teleosts," <i>Molec. and Cell. Endocrin.</i> 112:159-167 (1995)	
	BS	SUNDELL et al., "Chum salmon (<i>Oncorhynchus keta</i>) stanniocalcin inhibits in vitro intestinal calcium uptake in Atlantic cod (<i>Gadus morhua</i>)," <i>J. Comp. Physiol. B</i> 162:489-495 (1992)	
	BT	HULOVA et al., "Assignment of Disulfide Linkages in Chum Salmon Stanniocalcin" <i>Biochem. and Biophys. Res. Comm.</i> 257:295-299 (1999)	
	BU	GenBank Accession No. AF242179, JEFFREY et al., "Homo sapiens stanniocalcin 1 (STC1) gene, exons 1 through 4 and complete cds" (Feb. 21, 2002)	
	BV	GenBank Accession No. AF257506, G.E. DIMATTIA, "Bos taurus stanniocalcin mRNA, complete cds" (May 9, 2000)	
	BW	GenBank Accession No. AZ754534, BARBER et al., "cq01b02.f1 Pax3 CASTing Library 'cq' Mus musculus genomic clone cq01b02 random, genomic survey sequence" (Mar. 1, 2001)	
	BX	GenBank Accession No. BH042878, ZHAO et al., "RPCI-24-313A13.TJ RPCI-24 Mus musculus genomic clone RPCI-24-313A13, genomic survey sequence" (Jul. 17, 2001)	

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